

Filed for intro on 03/18/2002

HOUSE BILL 3254

By Newton

AN ACT to repeal Chapter 522 of the Private Acts of 1927, and all other acts amendatory thereto; to divide Meigs County into school districts; and to provide for the number, election and terms of members of the Meigs County Board of Education.

Whereas, Chapter 522 of the Private Acts of 1927, which established the Meigs County Board of Education and which has not been amended, calls for the election of five (5) members of the board of education from five (5) civil districts; and

Whereas, the county legislative body of Meigs County has reapportioned itself into five (5) districts of substantially equal population, and by resolution has established the Meigs County school districts as coextensive with the county legislative body districts; and

Whereas, Chapter 522 of the Private Acts of 1927, also provides that each board member shall be elected to a two (2) year term, but the members of the board of education are presently elected to staggered four (4) year terms in compliance with Tennessee Code Annotated, Section 49-2-201; and

Whereas, to preserve the present members' terms to which they were elected, the board members presently serving Districts 1 and 4, whose terms expire in September 2004, shall

serve new Districts 1 and 4, and board members shall be elected at the August 2002 elections to serve new Districts 2, 3, and 5 for four (4) year terms; and

Whereas, the county legislative body of Meigs County desires that Chapter 522 of the Private Acts of 1927 be repealed and that the Meigs County Board of Education be reconstituted to conform with general law; now, therefore,

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Chapter 522 of the Private Acts of 1927, and all other acts amendatory thereto, are hereby repealed.

SECTION 2. Meigs County shall be divided into five (5) school districts of substantially equal population, which shall be coextensive with the five (5) county legislative body districts established by resolution of the county legislative body from time to time.

SECTION 3. The Meigs County Board of Education shall consist of five (5) members, with one (1) member of the board being elected by the qualified voters in each school district on a nonpartisan basis. Board members shall be elected to staggered four (4) year terms so that the terms of approximately one-half (1/2) of the members expire every two (2) years. Persons elected in the regular August general election shall take office on September 1 following the election and shall serve until their successors are duly elected and qualified.

SECTION 4. The current terms of incumbent members of the Meigs County Board of Education who represent present Districts 1 and 4 and who were elected to serve until September 2004 shall not be cut short as a result of changes in the school districts. At the August 2002 election, board members shall be elected to serve new Districts 2, 3 and 5.

SECTION 5. The Meigs County Board of Education shall have the powers, duties, privileges and qualifications given boards of education in Tennessee Code Annotated, Title 49.

SECTION 6. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the

act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 7. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the county legislative body of Meigs County. Its approval or nonapproval shall be proclaimed by the presiding officer of the county legislative body of Meigs County and certified to the secretary of state.

SECTION 8. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective as provided in Section 7.